

REMARKS

I. Introduction

Claims 21 to 40 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Allowable Claims 21 to 30

Applicants note with appreciation the allowance of claims 21 to 30.

III. Allowable Subject Matter

Applicants note with appreciation the indication of allowable subject matter included in claim 34. In this regard, the Examiner will note that claim 34 has been rewritten herein in independent form. As such, it is respectfully submitted that claim 34 is in condition for immediate allowance.

IV. Rejection of Claims 31 to 33, 35, and 36 Under 35 U.S.C. § 103(a)

Claims 31 to 33, 35, and 36 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent No. 6,348,772 (“May”) and U.S. Patent No. 6,521,848 (“Shibata et al.”). It is respectfully submitted that the combination of May and Shibata et al. does not render unpatentable the present claims as amended herein for at least the following reasons.

In order for a claim to be rejected for obviousness under 35 U.S.C. § 103(a), the prior art must teach or suggest each element of the claim. See Northern Telecom, Inc. v. Datapoint Corp., 908 F.2d 931, 934 (Fed. Cir. 1990), cert. denied, 111 S. Ct. 296 (1990); In re Bond, 910 F.2d 831, 834 (Fed. Cir. 1990). In addition, as clearly indicated by the Supreme Court, it is “important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements” in the manner claimed. See KSR Int’l Co. v. Teleflex, Inc., 127 S. Ct. 1727 (2007). Further, the Supreme Court in KSR noted that the analysis supporting a rejection under 35 U.S.C. § 103 should be made explicit. M.P.E.P. §2143.

Claim 31 has been amended herein without prejudice to recite that a controllable light source is adapted to display arbitrarily changeable information

items on a display layer of a rotary knob. Support for this amendment may be found, for example, on page 9, line 29 to page 10, line 25 of the Specification and Figures 5 to 8 and 11. Claim 35 includes features analogous to those included in claim 31.

In stark contrast, May describes a rotary actuating element 3 having a display 9 and that the display 9 includes a plurality of LEDs 11 distributed uniformly over the circumference of the end face 10 of the rotary actuating element 3. The LEDs 11 are not adapted to display **arbitrarily changeable information items**. Rather, the LEDs 11 are driven without exception so that the user perceives the display 9 as a bright circle, or are driven individually to present to the user visually a rotating sensation, or are driven to permit the user to make a logical association with the selected function. Further, Shibata et al. does not cure the critical deficiencies of May.

Accordingly, it is respectfully submitted that the combination of May and Shibata et al. does not disclose, or even suggest, all of the features included in claims 31 and 35. Therefore, it is respectfully submitted that the combination of May and Shibata et al. does not render unpatentable claims 31 and 35 for at least the foregoing reasons.

As for claims 32 and 33, which depend from claim 31 and therefore include all of the features included in claim 31, and claim 36, which depends from claim 35 and therefore includes all of the features included in claim 35, it is respectfully submitted that the combination of May and Shibata et al. does not render unpatentable these dependent claims for at least the reasons more fully set forth above in support of the patentability of claims 31 and 35.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

V. Rejection of Claims 37 to 40 Under 35 U.S.C. § 103(a)

Claims 37 to 40 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of May, Shibata et al., and U.S. Patent No. 5,335,743 (“Gillbrand et al.”). It is respectfully submitted that the combination of May, Shibata et al., and Gillbrand et al. does not render unpatentable the present claims for at least the following reasons.

Claims 37 and 40 include features analogous to those included in claims 31 and 35. As more fully set forth above, the combination of May and Shibata

et al. does not disclose, or even suggest, all of the features included in claims 37 and 40. Gillbrand et al. also does not disclose, or even suggest, all of the features included in claims 37 and 40, and thus, fails to cure this critical deficiency.

Accordingly, it is respectfully submitted that the combination of May, Shibata et al., and Gillbrand et al. does not disclose, or even suggest, all of the features included in claims 37 and 40. As such, it is respectfully submitted that the combination of May, Shibata et al., and Gillbrand et al. does not render unpatentable claims 37 and 40.

As for claims 38 and 39, which depend from claim 37 and therefore include all of the features included in claim 37, it is respectfully submitted that the combination of May, Shibata et al., and Gillbrand et al. does not render unpatentable these dependent claims for at least the reasons more fully set forth above in support of the patentability of claim 37.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VI. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Date: June 29, 2010

By: /Clifford A. Ulrich/
Clifford A. Ulrich
Reg. No. 42,194

KENYON & KENYON LLP
One Broadway
New York, New York 10004
(212) 425-7200
CUSTOMER NO. 26646